

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
No. 1:09-CR-17**

UNITED STATES OF AMERICA

v.

ALBERT CHARLES BURGESS, JR.

ORDER

THIS MATTER is before the Court upon Defendant's Renewal of Motion to Dismiss for Prosecutorial Misconduct (Doc. 157). For the following reasons, Defendant's Motion is **DENIED**.

Defendant provides no legal basis for his Motion. He asserts that Wilhelm did not meet with Defendant on the day the search warrant was executed, but that "Wilhelm provided a copy of the search warrant to the Defendant." (Doc. 157, 1.) This information does not raise any new legal issues; nor does it state a basis upon which this case would be dismissed for prosecutorial misconduct.

IT IS THEREFORE ORDERED that Defendant's Renewal of Motion to Dismiss for Prosecutorial Misconduct (Doc. 157) is **DENIED**.

Signed: July 22, 2010



Graham C. Mullen
United States District Judge

